

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: **June 22, 2007**

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)
10/584,270

INTERNATIONAL APPLICATION NO.
PCT/DE2004/002723

INTERNATIONAL FILING DATE
December 13, 2004

PRIORITY DATE CLAIMED
December 23, 2003

TITLE OF INVENTION: **SPECIES-SPECIFIC AND QUANTITATIVE DETECTION OF CNS TISSUE IN MEAT AND MEAT PRODUCTS (AS AMENDED)**

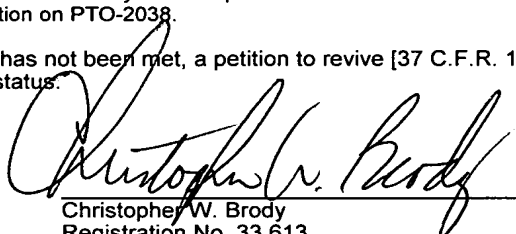
APPLICANT(S) FOR DO/EO/US: **Michael BULTE, Holger SCHONENBRUCHER and Amir ABDULMAWJOOD**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Response to Notification of Missing Requirements, Copy of Notice, Printed Sequence Listing

| | | | | | |
|---|--------------|---|----------------|--|---------------------|
| U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/584,270 | | INTERNATIONAL APPLICATION NO. PCT/DE2004/002723 | | ATTORNEY DOCKET NO. 12007-0075 DATE: June 22, 2007 | |
| <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| <input type="checkbox"/> 21.) Basic National Fee \$300 | | | | \$ | |
| <input type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200 | | | | \$ | |
| <input type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2) has been paid in the International Application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office. \$400 All other situations \$500 | | | | \$ | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | \$ | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100 | /50= | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)]. | | | | \$ 130 | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | - 20 = | | X \$50.00 | \$ | |
| Independent Claims | - 3 = | | X \$200.00 | \$ | |
| Multiple dependent claim(s) (if applicable) | | | + \$360.00 | \$ | |
| Petition for 1-Month Extension of Time = | | | | \$ 120 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 250 | |
| Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½ | | | | \$ 125 | |
| SUBTOTAL = | | | | \$ 125 | |
| Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. | | | | \$ 0 | |
| TOTAL NATIONAL FEE = | | | | \$ 125 | |
| Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | | | \$ 0 | |
| TOTAL FEES ENCLOSED = | | | | \$ 125 | |
| | | | | Amount to be refunded | \$ |
| | | | | Charged | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$125.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$_____ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: CLARK & BRODY 1090 Vermont Avenue, N.W. Suite 250 Washington, D.C. 20005 Telephone: 202-835-1111 Fax: 202-835-1755 Customer Number: 22902 | | | | | |
| | | | |  Christopher W. Brody Registration No. 33,613 Date: June 22, 2007 | |

COPY

CWB
Page 1 of 312007-0075
DOCKETED

Missing Parts

Due: May 22, 2007
Final: Oct 22, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/584,270 | Michael Bulte | 12007-0075 |

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| INTERNATIONAL APPLICATION NO. |
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PCT/DE04/02723

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|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 12/13/2004 | 12/23/2003 |

22902
CLARK & BRODY
1090 VERMONT AVENUE, NW
SUITE 250
WASHINGTON, DC 20005

CONFIRMATION NO. 5610

371 FORMALITIES LETTER



OC000000023032272

Date Mailed: 03/22/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/23/2006
- English Translation of the IA filed on 06/23/2006
- Copy of the International Search Report filed on 06/23/2006
- Preliminary Amendments filed on 06/23/2006
- Oath or Declaration filed on 06/23/2006
- U.S. Basic National Fees filed on 06/23/2006
- Priority Documents filed on 06/23/2006
- Non-English Language Application filed on 06/23/2006
- Specification filed on 06/23/2006
- Claims filed on 06/23/2006
- Abstracts filed on 06/23/2006
- Drawings filed on 06/23/2006
- Paper nucleotide sequence listings filed on 06/23/2006

06/25/2007 MKAYPAGH 00000147 10584270

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65.00 DP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/584,270 | PCT/DE04/02723 | 12007-0075 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES DESIGNATED OFFICE/RECEIVING OFFICE**

In re the Application of:

Michael BULTE et al.

Art Unit: not yet assigned

Application No.: 10/584,270

Examiner: not yet assigned

Filed: June 23, 2006

Attorney Dkt. No.: 12007-0075

For: SPECIES-SPECIFIC AND QUANTITATIVE DETECTION OF CNS TISSUE IN MEAT
AND MEAT PRODUCTS (as amended)

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS AND
SUBMISSION OF SEQUENCE LISTING IN COMPUTER READABLE FORM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Notification of Missing Requirements dated March 22, 2007. Applicants petition for a one-month extension of time and enclose the requisite fee as detailed at the end of this response.

First, a properly executed Declaration is submitted herewith, along with the late Declaration surcharge.

Second, attached herewith is a compact disk in computer readable format containing the sequence listing for the above-referenced application, along with an English Translation of the Sequence Listing submitted with originally filed application. Also attached is a print out of the listing as contained on the compact disk.

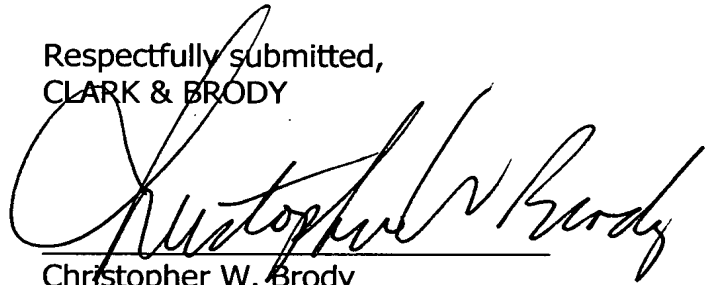
I hereby state that the information on the attached compact disk is the same as the written sequence listing submitted as part of the application filing papers and

is the same as the printed version attached herewith.

I hereby state that this submission, filed in accordance with 37 CFR 1.821(g), does not go beyond the disclosure of the International Application, which serves as the basis for the instant application.

Submitted herewith is a check in the amount of \$125.00 to cover the Petition for 1-Month Extension of Time (\$60) and the late Declaration surcharge (\$65). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY

A handwritten signature in black ink, appearing to read "Christopher W. Brody", is written over a horizontal line.

Christopher W. Brody
Registration No. 33,613

Customer No. 22902

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Washington, DC 20005
Telephone: 202-835-1111
Facsimile: 202-835-1755

Docket No.: 12007-0075
Date: June 22, 2007

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60.00 DP